First Reading:_____
Second Reading:_____

2016-035
Miller Industries Towing Equipment, Inc./
Amon A.C. and Doris York
District No. 6
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTIES LOCATED AT 8534 OOLTEWAH-HARRISON ROAD AND 5226 AND 5242 TRACIE LANE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO M-1 MANUFACTURING ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone properties located at 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, more particularly described herein:

> Tract One (1), excepting the 15' by 40' flag portion on its north line, and Tract Two (2), excepting the 15' flag portion on its southeastern line, as described in Deed Book 10659, Page 884, ROHC. Tax Map No. 131-040 and parts of parcels 041 and 055.

and as shown on the maps attached hereto and made a part hereof by reference, from R-1 Residential Zone to M-1 Manufacturing Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading:_____

_____
CHAIRPERSON

APPROVED:____ DISAPPROVED:____

_____

_____
MAYOR

/mem

2016-035 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Miller Industries Towing Equipment, Inc./Amon A. C. & Doris York petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga rezoning from R-1 Residential Zone to M-1 Manufacturing Zone, properties located at 8534 Ooltewah-Harrison Road, and 5226 & 5242 Tracie Lane.

Tract One (1), excepting the 15' by 40' flag portion on its north line, and Tract Two (2), excepting the 15' flag portion on its southeastern line, as described in Deed Book 10659, Page 884, ROHC. Tax Map 131-040 and parts of parcels 041 and 055 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 14, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, there was opposition present to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is consistent with surrounding manufacturing uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,

John Bridger
Secretary

Chattanooga-Hamilton County Regional

PLANNING COMMISSION CASE REPORT

Case Number: 2016-035 **PC Meeting Date:** 03-14-16

Applicant Request

Rezone R-1 Residential Zone to M-1 Manufacturing Zone

Property Location:	8534 Ooltewah Harrison Road, 5226 & 5242 Tracie Lane
Property Owner:	Same & Amon A C & Doris York
Applicant:	Miller Industries Towing Equipment INC.

Project Description

- Proposal: Expand existing manufacturing development with new 120,000 square foot building and additional parking.
- Proposed Access: Main entrance on Hilltop Drive.
- Proposed Development Form: 1-story storage building.

Site Analysis

Site Description

- Location: The vacant flag lot is located on the east property line of existing industrial site known as Miller Industries.
- Current Access: Access from Tracie Lane and Ooltewah-Harrison Road through flag portions of parcel.
- Current Development form: There is a mixture of development forms surrounding the site. To the southwest are 2-story industrial buildings. To the west are zero-lot line small lot single-family dwellings. To the north and east are large lots with single family dwellings.
- Current Land Uses: to the southwest are industrial uses. To the west are medium density residential. To the north and east are low density residential uses.

Zoning History

- The site is currently zoned R-1 Residential Zone.
- The site was rezoned to R-1 Residential Zone in 2013 as part of annexation into the City of Chattanooga. (Ordinance #12703).
- The properties to the north and east are zoned R-1 Residential Zone. The property to the south west is zoned M-1 Manufacturing Zone. The property to the west is zoned R-T/Z Townhouse and Zero-lot line Zone and A-1 Agricultural Zone.

Plans/Policies/Regulations

- There is no current adopted land use plan for this area.
- The M-1 Manufacturing Zone permits most types of industrial uses, but does not permit residential uses.
- The M-2 Light Industrial Zone permits most types of industrial uses, but prohibits the most noxious industrial uses.

Key Findings

- The proposal is supported by the recommendations of the Comprehensive Plan based on support for expansion of existing manufacturing.
- The proposed use is consistent with surrounding manufacturing uses.
- The proposed use may not be compatible with surrounding residential uses.
- The proposed structure does raise concerns regarding location, lighting, or height.
- The proposal would be an extension of an existing zone.
- The proposal would not set a precedent for future requests.
- The M-2 Light Industrial Zone is a less intense manufacturing zone which allows the proposed use and provides additional protections to residential uses within proximity to the site.

Chattanooga-Hamilton County Regional

PLANNING COMMISSION CASE REPORT

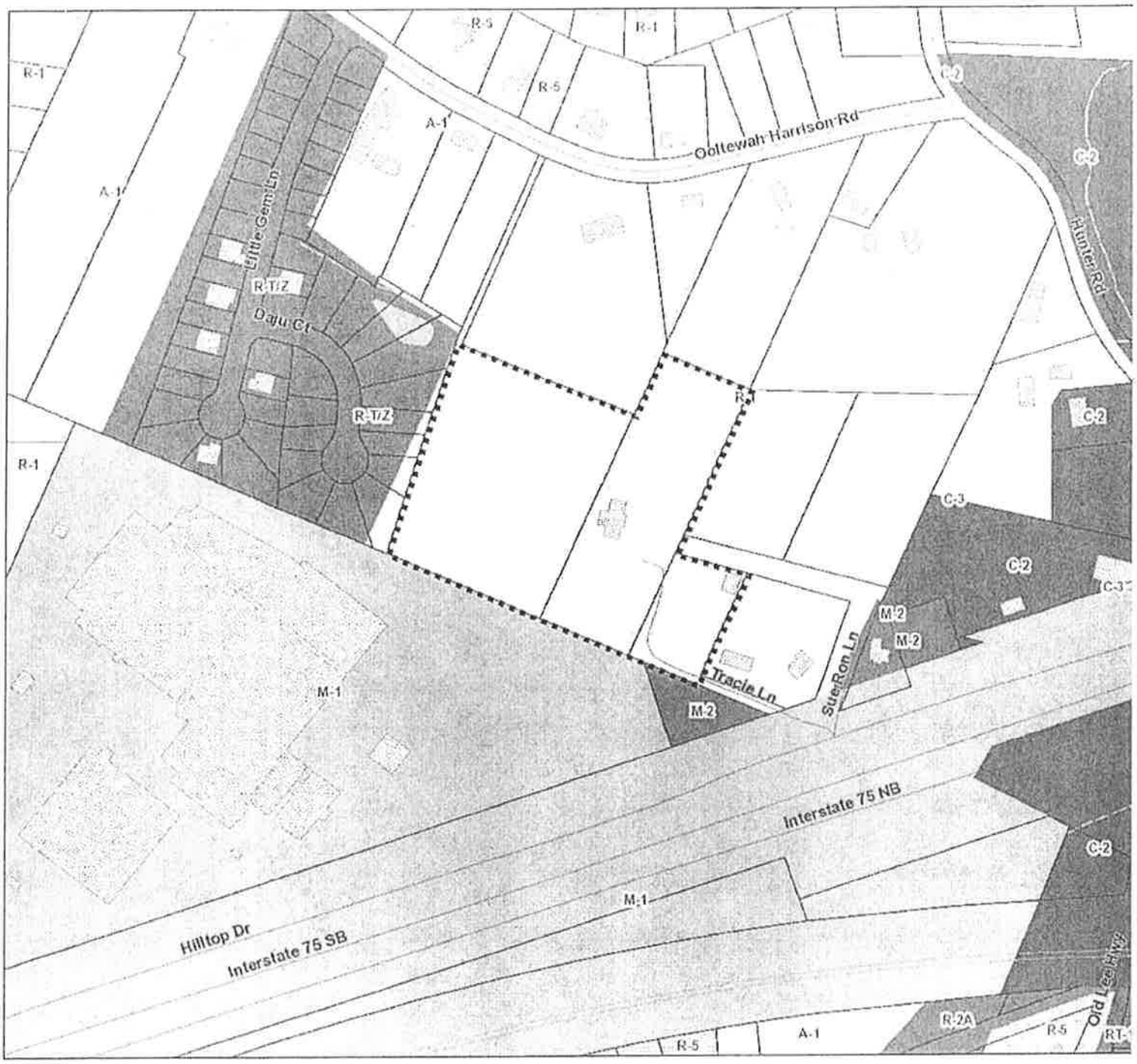
Staff Recommendation

Deny M-1 Manufacturing Zone and Approve M-2 Light Industrial Zone.

Chattanooga-Hamilton County Regional Planning Agency

ZONING APPLICATION FORM

CASE NUMBER:	2016-035	**Date Submitted: 1-22-2016**	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	**From: R-1**	**To: M-1**	
	Total Acres in request area: 8.3 +/-		
2 Property Information			
Property Address:	8534Ooltewah Harrison Road, 5226 & 5242 Tracie Lane		
Property Tax Map Number(s):	131-040, 041 & (part of) 055		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Proposed expansion to Miller Industries		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Residential & Undeveloped		
Adjacent Uses:	Manufacturing, Residential & Undeveloped		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Miller Industries Towing Equipment INC.	Address: 8503 Hilltop Drive		
Check one:	x I am the property owner	I am **not** the property owner	
City: Ooltewah	State: TN	Zip Code: 37363	Email:
Phone 1: 423-238-4171	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same & Amon A C & Doris York	Phone:		
Address:			
Office Use Only:			
Planning District: 10	Neighborhood: CNAC, Flagstone Community		
Hamilton Co. Comm. District: 9	Chatt. Council District: 6	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist			
x Application Complete	x Ownership Verification	x Map of Proposed Zoning Area with dimensions	
x Site Plan, if required	x Total Acres to be considered: 8.3	x Deeds	x Plats, if applicable
Deed Book(s): 1992-646, 3725-954			
Plat Book/Page: 912-403	x Notice Signs	Number of Notice Signs: 1	
x Filing Fee: 705.00	Cash	x Check	Check Number: 11000
Planning Commission meeting date: 3-14-2016	Application processed by: Marcia Parker		



2016-035 Rezoning from R-1 to M-1

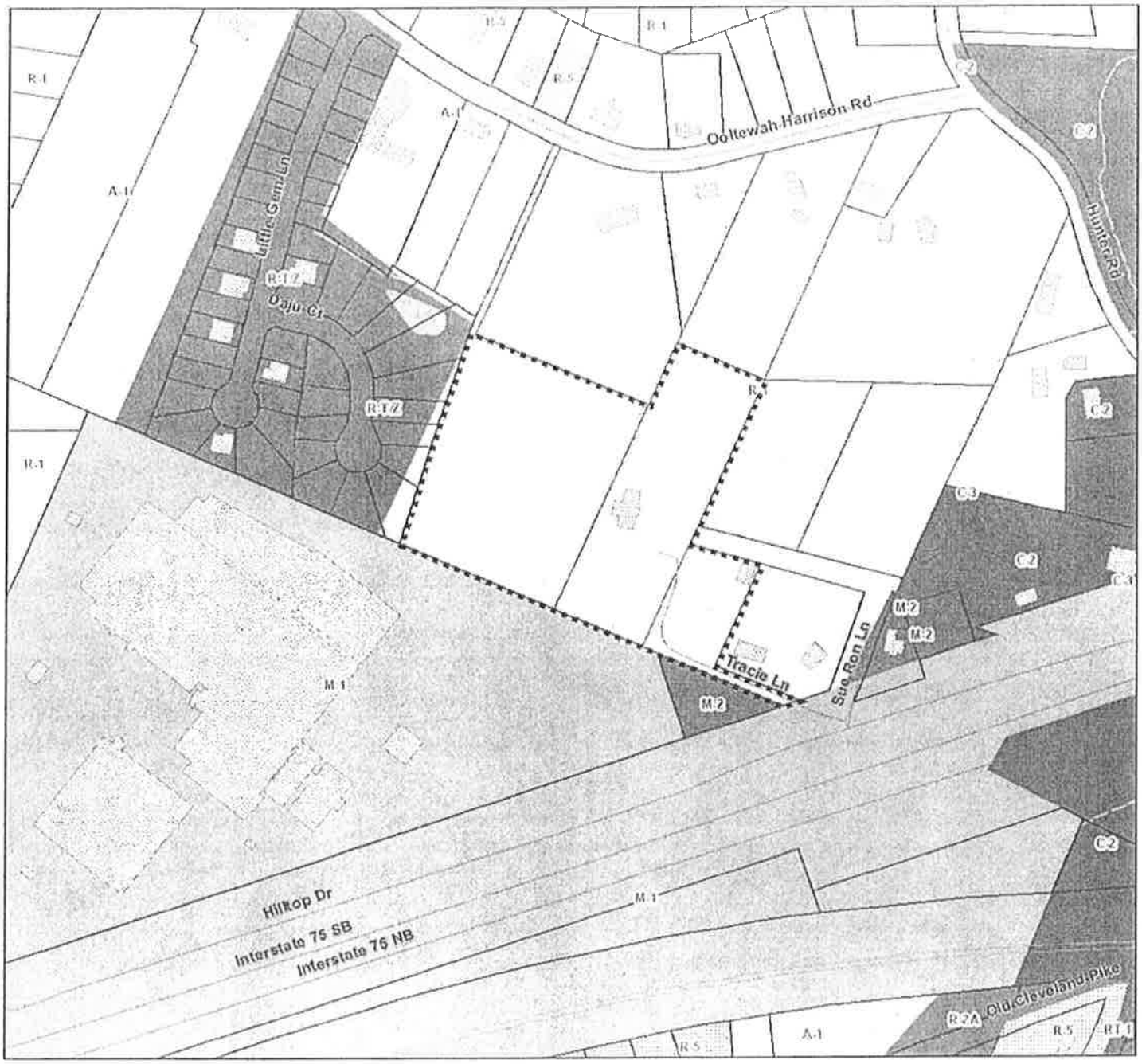
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-035:
Approve M-1 Manufacturing Zone

North

300 ft

Chattanooga Hamilton County Regional Planning Agency

RPA



2016-035 Rezoning from R-1 to M-1

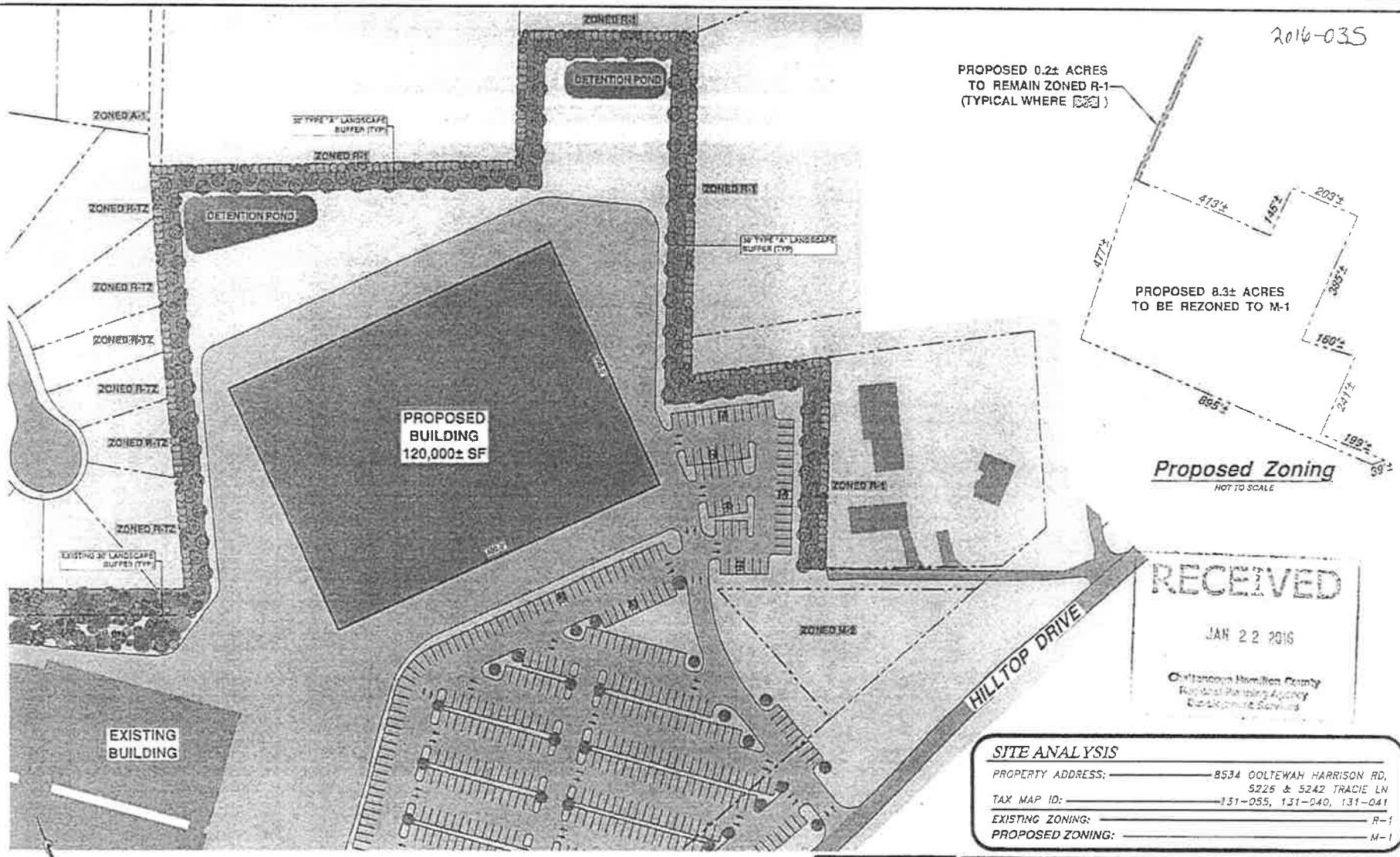
North

300 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

2016-035



SITE ANALYSIS

PROPERTY ADDRESS:	8534 OOLTEWAH HARRISON RD, 5225 & 5242 TRACIE LN
TAX MAP ID:	131-055, 131-040, 131-041
EXISTING ZONING:	R-1
PROPOSED ZONING:	M-1

ZONING EXHIBIT

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DRAWN	SST
CHECKED	MAP
DATE	1/20/2016
SCALE	1" = 100'
MAP PROJECT:	15-122

MAP ENGINEERS
Tel.(423) 855-5554
Fax.(423) 465-8110
7380 Applegate Ln
Chattanooga, TN 37421

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

> 2016-023 Wanda Threat. 6420 Shallowford Road, from R-1 Residential Zone to C-5 Neighborhood Commercial Zone.
>
> 2016-024 Belle Investment Company, Third Street Partners, and Jimmy & Molly Seal. 1028 and 1042 East 3rd Street and 1039, 1043, and 1047 East 4th Street, from R-4 Special Zone to C-3 Convenience Commercial Zone, subject to certain conditions.
>
> 2016-031 Silverdale Baptist Church, Inc. Part of a property located at 2916 Silverdale Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone.
>
> 2016-035 Miller Industries Towing Equipment, Inc./Amon A.C. and Doris York. 8534 Ooltewah-Harrison Road and 5226 and 5242 Tracie Lane, from R-1 Residential Zone to M-1 Manufacturing Zone.
>
> 2016-036 ALC Holdings, LLC. 1605 and 1691 West 39th Street, 109 Old Mountain Road, and 1690 Silvels Lane, from R-1 Residential Zone, R-2 Residential Zone, and UGC Urban General Commercial Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone.
>
> 2016-042 Field, LLC, Gabe Thomas/John and Jennifer Langworthy. 721, 725, and 729 North Market Street, 14, 16, 18, and 20 Peak Street, and 718 Spears Avenue, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved for C-5 Neighborhood Commercial Zone and denied for the M-2 Light Industrial Zone:

> 2016-037 Eric Emery/Tammy Cagle, Greg Brock, and Norma Mahaffey. 5116 and 5120 Highway 58.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit for a Residential Planning Unit Development be approved:

> 2016-040 Joseph Ingram/Marcus Jones/Magnolia Investors, LLC/Jack Thompson and Allen Headrick. 604 and 638 Samoyed Trail, 1038 Meroney Street, 1400 Hamilton Avenue, and unnumbered Wert Street.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 2 be amended from Ordinance No. 12841 of Previous Case No. 2014-046 regarding Signage Replacement and Design Restrictions for 2016-033 Wallace Braud on property located at 1349 Gunbarrel Road.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

April 12, 2016

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2016.

_____
Nicole Gwyn
Clerk to the City Council